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 Attorney for Debtor

**UNITED STATES BANKRUPTCY COURT  
 EASTERN DISTRICT OF CALIFORNIA FRESNO**

In re:  Arlene Marie Gonzales       <div style="text-align: right;">Debtor(s).</div>	Case No.: 20-10595  DC No: SLL-3  Chapter 13  <input checked="" type="checkbox"/> APPLICATION FOR PAYMENT OF FEES AND/OR EXPENSES PURSUANT TO 11 U.S.C. §331 OR §330 <input checked="" type="checkbox"/> INTERIM <input type="checkbox"/> FINAL  DATE: June 10, 2020 TIME: 9:30 a.m. PLACE: 2500 Tulare Street Courtroom 13, 5 <sup>th</sup> Floor, Dept. B Fresno, CA 93721  JUDGE: Rene Lastreto II
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**1. SUMMARY TABLE**

*In the fields below, indicate the total compensation and/or expenses requested in this application. Do not include amounts of compensation or expenses previously approved by the court. Prior approvals, including amounts, are set forth below in section 4.*

a. Name of Applicant	Stephen L. Labiak
b. Amount of Compensation Requested	\$5695
c. Amount of Expenses Requested	\$84.20
d. Total Compensation and Expenses Requested this Application	\$5779.20
e. Time Period of Current Application	3/12/2020 to 4/27/2020
f. Fees and Expenses to be paid by Trustee or Debtor Directly (Fee paid part by trustee and debtor explain in paragraph 9 (3).)	<input checked="" type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s) <input type="checkbox"/> Part Trustee <input type="checkbox"/> Part Debtor
g. Number Prior Fee Applications 1. Approved	0

## 2. ATTORNEY OPTION REGARDING COMPENSATION

Pursuant to LBR 2016-1, counsel for the debtor(s) has previously opted to be paid in this Chapter 13 case as follows.

a. Elected to be paid in accordance with LBR 2016-1(c).	<input type="checkbox"/> Yes (If yes, complete 1,2,3,4,5 and the declaration (#9) explaining the substantial and unanticipated post-confirmation work necessary)
1. Business Case	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Fees Charged	
3. Rights and Responsibilities Executed and Filed	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Pre-filing Attorney Fees Received	
5. Fees in Plan	
6. Fees Paid to Date by Trustee	
7. Monthly Chapter 13 Administrative Payment	
b. Elected to have compensation determined in accordance with 11 U.S.C. §§329 and 330, Fed. R. Bankr. P. 2002, 2006, and 2017.	<input checked="" type="checkbox"/> Yes
1. Pre-filing Attorney Fees Paid	00
2. Amount of Retainer Held in Trust	0
3. Total Amount Reserved for Attorney Fees in Plan (See Plan Para. 2.06 or 5.01)	10800
4. Monthly Amount Provided in Plan for Administrative Fees	300

## 3. CASE INFORMATION

a. Chapter 13 Plan Confirmed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date Confirmed	
b. Motion to Dismiss Pending	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date:	
c. All Motions to Value Collateral/Avoid Liens Filed and Heard	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
d. Motion to Modify Pending	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. Notice of Filed Claims Filed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. All Objections to Claims Filed and Heard	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**4. SUMMARY OF PREVIOUS FEES ALLOWED**

Date of Hearing	Fees Allowed	Costs Allowed
<b>Total</b>		

**5. CATEGORY FEE SUMMARY**

(Only shows hours in category for current fee application, not prior time spent in categories)

Project	Hours	Total Fees Charged
a. Pre-petition Consultation and Fact Gathering	2.3	575
b. Preparation of Voluntary Petition, Schedules and Form 22C	6.0	1275
c. Independent Verification of Information	5.9	1475
d. Amendments to Petitions and/or Schedules	0.5	125
e. Original Plan, Hearings, Objections	3.1	745
f. 341 Preparation and Attendance	2.3	575
g. 1 <sup>st</sup> Amended or Modified Plan, Motions, Objections	.6	150
h. 2 <sup>nd</sup> Amended or Modified Plan, Motions, Objections		
i. 3 <sup>rd</sup> Amended or Modified Plan, Motions, Objections		
j. Claim Administration and Claim Objections	.5	125
k. Motions to Dismiss		
l. Relief From Stay Proceedings		
m. Motions: <i>Example, Motion to Value Property, Motion to Avoid Liens, Motion to Incur Debt, Motion to Sell Property, other Motions.</i>	1.6	0
n. Fee Applications	1.3	325
o. Discharge and Case Closing		
p. Case Administration	0.1	25
q. Other	1.2	300
r. Other		
<b>Total Fees Charged</b>	<b>25.4</b>	<b>5695</b>

**6. EXPENSE SUMMARY**

Type Of Expense	Amount
a. Postage	17.50
b. Computer Legal Research	
c. Reproduction	35.70
d. Filing Fees	31.00
e. Other (parking)	
<b>Total Expenses</b>	<b>84.20</b>

**7. SUMMARY BY PROFESSIONAL**

Professional	Hourly Rate	Total Hours	Total Fees This Person
a. Stephen L. Labiak	250	23.1	5525
b. Linda Fellner	100	2.3	170
c.			
d.			
e.			
f.			

**8. SUMMARY OF EXHIBITS**

Exhibit A	Narrative Summary		
Exhibit B	Itemized Time Entry by Date		
Exhibit C	Itemized Time Entries by Project		
Exhibit D	Itemized Costs		
Exhibit E	Fee Agreement NONE	<i>If the fee agreement is not attached, indicate below the reason therefore.</i>	
Facts: A written fee agreement is a confidential communication with the meaning of Business and Professions Code § 6068(e). Cal. Bus and Prof. Code § 6149.			
Exhibit F	Debtor(s) Consent <input type="checkbox"/> Attached as an exhibit	<input checked="" type="checkbox"/> Will be filed separately	<input type="checkbox"/> Debtor(s) do not consent <input type="checkbox"/> Debtors consent indicated by their signature(s) below

**9.****DECLARATIONS****(1) Penalty of Perjury:**

Applicant declares under penalty of perjury under the laws of the United States of America that the foregoing Application and all attached supporting documentation are true and correct and accurately reflect the services rendered and expenses incurred.

**(2) Attorney Option:**

Applicant originally opted to receive fees pursuant to Local Bankruptcy Rule 2016-1 (c). (See 2. Above)

☒ Yes ☐ No

If yes, the reason additional fees are requested is that the additional work required was substantial and unanticipated as set forth below:

a. Facts:



**(3) Chapter 13 Plan Feasibility:**

I have reviewed the Chapter 13 Trustee's data and the Chapter 13 Plan. If the fees and expenses sought to be approved are to be paid through the Chapter 13 Plan, the plan is feasible and will complete timely. If the fees and expenses are to be paid by the debtor(s) directly, the following explains the source of the funds.

**a. Facts:****(4) Unauthorized Payments:**

I have not accepted or demanded from the debtor or any other person any payment for services or costs reimbursement without first obtaining a court order authorizing the fees and/or costs and specifically permitting direct payment of those fees and/or costs by the debtor.

**(5) Non-alteration of Form:**

Other than to insert text into designated spaces and/or expand tables to provide facts, the preprinted text of this form has not been altered. In the event there is an alteration, it will be given no effect. The signature of the applicant below is a certification that the standard Fee Application has not been altered.

**(6) Sharing of Compensation:**

☒ I have not agreed to share the above-disclosed compensation with another person or persons unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with another person or persons who are not members or associates of my law firm. A copy of the agreement together with a list of the names of the people sharing in the compensation is attached.

**(7) Debtor(s) Consent:**

I/we are the debtor(s) in the above-entitled bankruptcy proceeding. I/we have reviewed the Fee Application set forth above and have no objection thereto.

Arlene Gonzales  
Debtor

04/30/20  
Date

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Date

**WHEREFORE**, the Applicant requests:

- ☒ That the Application for Fees and Costs be approved.
- ☒ Such other and further relief as the Court deems proper.

Date: 5-7-20

Stephen L. Labiak  
Respectfully Submitted,  
Stephen L. Labiak  
Attorney for Debtor(s)